REMARKS

Claims 1, 4, 5, 10-13, 25-28 and 30 have been cancelled without prejudice as drawn to non-elected subject matter. Applicant reserves the right to pursue the subject matter of these claims in future applications.

Claim 2 has been amended to recite ten DNAzyme sequences elected in response to the restriction requirement. The amendment was not made to overcome any prior art or in response to any rejection. Applicant reserves the right to pursue the other DNAzymes sequences in future applications. Support for the amendment is found in the original claim and in Table VI of the specification. Accordingly, no new matter has been added by way of the amendment. A marked-up copy of the claim amendments is attached as Appendix A.

New claim 31 is directed to a DNAzyme having binding arms with sequence complementary to the ten recited substrate sequences. The ten DNAzymes in claim 31 correspond with the ten DNAzymes elected in claim 2. In other words, the ten DNAzymes recited in claim 3 and new claim 31 target the same TERT substrate sequence. Support for the new claim is found in original claim 4 and Table VI of the specification. Accordingly, no new matter has been added by way of the amendment.

THE RESTRICTION REQUIREMENT

The Office Action alleges that Applicant's reply filed on June 24, 2002 is not fully responsive to the prior office action because Applicant's response does not include an election of sequences that applies to the total invention of elected Group I. Specifically, the Office states that the elected sequences read only on nucleic acid molecules and corresponding substrate sequences found in Table VI, whereas the claims in Group I read on sequences from Tables III-VII.

In response, Applicant confirms the previous election of Group I, claims 1-15 and 25-30, **with traverse**. Applicant also confirms the election of SEQ ID NOs. 1832-1841

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(enzymatic nucleic acid molecules) and SEQ ID NOs. 4611-4620 (corresponding substrate sequences) **with traverse.** The reasons for the traversal are set forth in the previous response filed on June 14, 2002 and are not reiterated here.

Further, Applicant has canceled without prejudice the claims in elected Group I that read on sequences from Tables III-V. and VII. With regard to the elected sequences, SEQ ID NOs. 1832-1841, Applicant notes that under M.P.E.P § 2434, sequences which are patently indistinct from the sequences selected by the applicant will also be examined. Given that enzymatic nucleic acid molecules comprising SEQ ID NOs. 1832-1841 and enzymatic nucleic acid molecules having binding arms complementary to SEQ ID NOs. 4611-4620, contain patently indistinct sequences, Applicant respectfully requests that new claim 31 be examined with the pending claims.

Conclusion:

If the Examiner believes that a telephone or personal interview would expedite prosecution of the instant application, the Examiner is invited to call the undersigned at (312) 913-0001.

Respectfully Submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: September 30, 2002

By: _____
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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB00-882-C; 400/019)

IN THE APPLICATION OF: Chowrira et al.			
Serial No.	09/653,225	Examiner:	Epps, Janet L.
Filed:	August 31, 2000	Group Art Unit:	1635
Title	METHOD AND REAGENT FOR THE INHIBITION OF TELOMERASE ENZYME	Confirmation No.:	4785

APPENDIX A

(MARKED-UP COPY OF CLAIM AMENDMENTS)

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Appendix A

Marked-up Copy of Claim Amendments

3. An enzymatic nucleic acid molecule of claim 2, wherein said enzymatic nucleic acid molecule comprises any of the DNAzyme sequences identified as SEQ ID NO: [1832-2779] 1832-1841.

6. The enzymatic nucleic acid molecule of [any of claims 1,] claim 2 [and 4], wherein said enzymatic nucleic acid is chemically synthesized.

7. The enzymatic nucleic acid molecule of [any of claims 1,] claim 2 [and 4], wherein said enzymatic nucleic acid comprises at least one 2'-sugar modification.

8. The enzymatic nucleic acid molecule of [any of claims 1,] claim 2 [and 4], wherein said enzymatic nucleic acid comprises at least one nucleic acid base modification.

9. The enzymatic nucleic acid molecule of [any of claim 1,] claim 2 [and 4], wherein said enzymatic nucleic acid comprises at least one phosphate backbone modification.

14. A mammalian cell including the enzymatic nucleic acid molecule of [any of claims1,] claim 2, [4 and 5,] wherein said mammalian cell is not a living human.

29. The enzymatic nucleic acid molecule of [any of claims 1,] claim 2 [and 4], wherein said enzymatic nucleic acid comprises a cap structure, wherein the cap structure is at the 5'-end or 3'-end or both the 5'-end and the 3'-end.